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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UBALDO SALDANA-GARCIA,
11 Petitioner,
12 vs.
13 BRIAN WILLIAMS, *et al.*,
14 Respondent.

Case No. 2:19-cv-00441-APG-BNW

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME (FIRST
REQUEST)**

ORDER

15 Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada,
16 hereby respectfully move this Court for an order granting a twenty-one (21) day enlargement of time, to
17 and including April 14, 2020, in which to file and serve their reply in support of motion to dismiss.

18 This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure
19 and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and
20 other materials on file herein.

21 There has been no prior enlargement of Respondents' time to file said reply, and this motion is
22 made in good faith and not for the purposes of delay.

23 RESPECTFULLY SUBMITTED this 24th day of March, 2020.

24 AARON D. FORD
Attorney General

25 By: /s/ Charles L. Finlayson
26 CHARLES L. FINLAYSON (Bar No. 13685)
27 Senior Deputy Attorney General
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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UBALDO SALDANA-GARCIA,

Case No. 2:19-cv-00441-APG-BNW

11 Petitioner,

DECLARATION OF COUNSEL

12 vs.

13 BRIAN WILLIAMS, *et al.*,

14 Respondent.

15 I, CHARLES L. FINLAYSON, hereby state, based on personal knowledge and/or information
16 and belief, that the assertions of this declaration are true:

17 1. I am a Senior Deputy Attorney General of the Post-Conviction Division of the Nevada
18 Attorney General's Office, and I make this declaration on behalf of Respondents' motion for
19 enlargement of time.

20 2. My reply in this matter is due March 24, 2020. By this motion I am seeking a 21-day
21 extension of time, up to and including April 14, 2020, to file and serve my reply.

22 3. The Chief of the Post-Conviction Division was out on annual leave when the COVID-19
23 pandemic took off and remains out of the office. As a result, another Senior Deputy Attorney General
24 and I have been in charge of managing our division's response to the pandemic. As this Court is
25 undoubtedly aware, our state's response to the pandemic is in a state of flux. I have therefore been in
26 near constant communication with senior staff and other divisions in ensuring that the members of our
27 division remain safe and are able to work as effectively as possible during this time. These
28 responsibilities, which I cannot delegate, have taken up a considerable portion of my time

4. In the meantime, I have been working diligently on a reply to a motion to dismiss in a death penalty case, *Leonard, William* 2:99-cv-00360-MMD-DJA. The federal habeas petition in that matter is over 400 pages and the opposition to Respondents' motion to dismiss is 174 pages. I have been working nights and weekends in order to complete Respondents' reply in the time frame set out by the Court.

5. This motion for enlargement of time is made in good faith and not for the purpose of unduly delaying the ultimate disposition of this case.

6. I contacted Amelia Bizzarro with the Federal Public Defender, who has no objection to this enlargement.


Dated this 24th day of March, 2020.

By: /s/ Charles L. Finlayson
CHARLES L. FINLAYSON (Bar No. 13685)
Senior Deputy Attorney General

ORDER

IT IS SO ORDERED.

Dated: March 24, 2020.


UNITED STATES DISTRICT JUDGE